

**REMARKS**

Applicant expresses appreciation to the Examiner for consideration of the subject patent application. This amendment is in response to the Office Action mailed July 17, 2003. Claims 1-22 were rejected. Claims 1-22 are currently pending in the present patent application.

Claims 1-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kato (U.S. Pat. No. 5,712,949) in view of Sawai (U.S. Pat. No. 5,548,567). Independent claims 1, 8, and 14 have been amended to distinguish over the teachings of Kato and Sawai and to more accurately claim the present invention. In particular, independent claims 1, 8, and 14 have been amended to clarify that the cover is "configured for open and closed positions to directly cover ... and to directly expose the storage cavity" as described in the Specification at pg. 4, ll. 13-23 and FIGS. 1 and 2. No new matter has been added by the amendments.

In order to most succinctly explain why the claims presented herein are allowable, Applicant will direct the following remarks primarily to the currently presented independent claims 1, 8, and 14 with the understanding that once an independent claim is found allowable, claims depending therefrom are allowable, being more narrow in scope.

Assuming, arguendo, that it is appropriate to combine the teachings of Kato and Sawai, Applicant respectfully submits that the combination of Kato and Sawai fails to teach or suggest all of the elements as claimed in independent claims 1, 8, and 14. Kato discloses a portable CD-I disk player (item 1 of FIG. 2), which includes an outer lid (12), a middle lid (7) and a player unit (2) (col. 4., ll. 44 - 67). Included in the outer lid (12) is a display (13). The player, however, only holds a single disk (col. 5, ll. 2-4). Sawai discloses a storage box for use with a disk player, which combines a disk player (item 1 of FIG. 1) with stackable storage boxes (11, 12, 13) (col 4,

ll. 52-64). A storage box lid (14) is removable to allow expansion of the storage (col. 4, l. 65 - col. 5, l. 2).

In contrast, addressing the independent claims collectively as to the subject matter in common, they set forth a container which includes a display "configured ... to *directly cover* the storage cavity ... when in a closed, storage mode and to *directly expose* the storage cavity and *allow access* to the plurality of removable digital memory storage devices ... when in an open, viewing mode" (claims 1, 8, and 14). Although Kato's display (13) is integrated into the outer lid (12), it does not directly expose the disk. The middle lid (7) must be opened to access the disk (col. 4, l. 66 - col. 5, l. 25). Neither does Sawai's lid provide access to the disks (FIG. 2; col. 4. l.65 - col. 5, l.2). Access to disks is provided via individual disk carry trays (item 17 in FIG. 1; col. 5, ll. 3-9). Neither Kato nor Sawai, alone or in combination, teach or suggest a cover providing *direct access* to the plurality of removable digital memory storage devices. Applicant therefore respectfully submits that claims 1,8, and 14 are allowable because the cited art does not teach or suggest this element.

Furthermore, Applicant respectfully submits that combining the teachings of Kato and Sawai is inappropriate. Whereas Kato emphasizes the small, compact nature of the disclosed CD-I player (col. 4 ll. 47-51), the storage box of Sawai is comparatively large, as necessitated by the arrangement of disks and open space required for the disk-playing device (col. 5, l. 20 - col. 6, l. 19; FIGS. 2, 3). Incorporation of the storage concepts of Sawai into the CD-I player of Kato would be impractical, as the resulting unit would no longer be portable. In contrast, addressing the independent claims collectively as to the subject matter in common, they set forth a container which includes a "*portable* storage housing ... configured to *concurrently store a plurality* of removable digital memory storage devices" (claim 1 and 8) and a "*portable* case ... configured to *store a plurality* of removable digital memory storage devices" (claim 14). Neither Kato nor

which includes a "portable storage housing ... configured to concurrently store a plurality of removable digital memory storage devices" (claim 1 and 8) and a "portable case ... configured to store a plurality of removable digital memory storage devices" (claim 14). Neither Kato nor Sawai teach or suggest *portable* storage for a plurality of digital memory storage devices. Applicant therefore respectfully submits the above as independent grounds for allowance of claims 1, 8, and 14 in that the cited art does not teach or suggest this element.

All other claims are dependent from claims 1, 8, or 14, and therefore are similarly allowable.

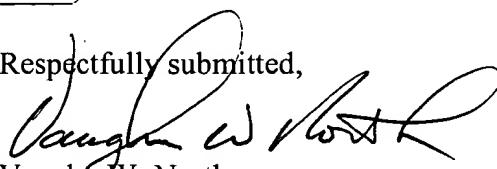
### **CONCLUSION**

In light of the above, Applicant respectfully submits that pending claims 1-22 are now in condition for allowance. Therefore, Applicant requests reconsideration and withdrawal of the rejections and that the claims be allowed and passed to issue. If any impediment to the allowance of these claims remains after entry of this Amendment, the Examiner is encouraged to call Vaughn North at (801) 566-6633 so that such matters may be resolved as expeditiously as possible.

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. 08-2025.

DATED this 14 day of Oct, 2003.

Respectfully submitted,

  
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